

**City of Scottsdale, Arizona
Subrecipient
2012 Title VI Policies and
Methodologies Plan
And
FY 09-11 Program (Update)**

Submitted to:
City of Phoenix

February 2, 2012

SUBRECIPIENT INFORMATION

Subrecipient: City of Scottsdale
Population 217,000

Submittal Date: February 2, 2012

Contact Information: Madeline Clemann
Transit Supervisor
7447 E. Indian School Rd.
Suite 205
Scottsdale, AZ 85251
Phone: 480.312.2732
FAX: 480.216.4000
Email: mclemann@scottsdaleaz.gov

David Meinhart
Transportation Director
7447 E. Indian School Rd.
Suite 205
Scottsdale, AZ 85251
Phone: 480.312.7010
FAX: 480.216.4000
Email: dmeinhart@scottsdaleaz.gov

David E. Richert
City Manager
3939 N. Drinkwater Blvd
Scottsdale, AZ 85251
480.312.2811
Email: drichert@scottsdaleaz.gov

Table of Contents

| Section | Topic | Page |
|---------|---|------|
| | SUBRECIPIENT INFORMATION | ii |
| | Table of Contents | iii |
| | BACKGROUND AND OVERVIEW | v |
| | SECTION ONE: TITLE VI POLICIES AND METHODOLOGIES SECTION | |
| 1.1 | ANNUAL TITLE-VI CERTIFICATION AND ASSURANCE | 1 |
| 1.2 | COMPLAINT PROCEDURES | 2 |
| 1.2.1 | Complaints Conveyed via the Regional Customer Service Call Center | 2 |
| 1.2.2 | Procedures for Complaints Conveyed Directly to Scottsdale | 3 |
| 1.2.3 | Procedure to File a Complaint Directly with a Federal Agency | 4 |
| 1.3 | RECORD OF INVESTIGATIONS/COMPLAINTS/LAWSUITS | 4 |
| 1.4 | PROVIDING MEANINGFUL ACCESS TO LEP PERSONS | 5 |
| 1.4.1 | Providing Access to Transit Services and Activities | 5 |
| 1.4.2 | Scottsdale Service Area Description | 5 |
| 1.4.3 | Identifying LEP Populations | 6 |
| 1.4.4 | Service Area Evaluation by Factor | 6 |
| 1.4.5 | Limited English Proficiency (LEP) Plan | 8 |
| 1.4.6 | BENEFICIARY NOTIFICATION OF TITLE VI RIGHTS PUBLIC NOTIFICATION | 9 |
| 1.6 | PROVISION OF ADDITIONAL INFORMATION UPON REQUEST | 9 |
| 1.7 | INCLUSIVE PUBLIC PARTICIPATION | 9 |
| | SECTION TWO: FY 09-11 PROGRAM UPDATE | |
| 2.1 | DEMOGRAPHIC DATA | 11 |
| 2.2 | SYSTEMWIDE SERVICE STANDARDS | 11 |
| 2.2.1 | Vehicle Load | 12 |
| 2.2.2 | Vehicle Headways (frequency) | 12 |
| 2.2.3 | On-time Performance | 13 |
| 2.2.4 | Distribution of Transit Amenities | 13 |
| 2.2.5 | Service Availabilities | 14 |
| 2.3 | SERVICE POLICIES | 14 |
| 2.3.1 | Vehicle Assignment | 14 |
| 2.3.2 | Transit Security | 14 |
| 2.4 | SUMMARY OF PUBLIC OUTREACH ACTIVITIES FY 09-11 | 15 |
| 2.4.1 | Meeting Locations | 15 |
| 2.4.2 | Meeting Notification and Timing | 16 |
| 2.4.3 | Meeting Event Sequence and Materials | 16 |
| 2.5 | LIMITED ENGLISH PROFICIENCY (LEP) PLAN | 18 |

| | | |
|-------|--|----|
| 2.5.1 | Identifying LEP Individuals with Language Assistance Needs | 18 |
| 2.5.2 | Identifying Assistance Measures and Making Materials Available | 18 |
| 2.5.3 | Staff Training | 19 |
| 2.5.4 | Providing Notice to LEP Persons Regarding Availability of Assistance | 19 |
| 2.5.5 | LEP Plan Updates | 19 |
| 2.5.6 | Distributing the LEP Plan | 19 |
| 2.6 | INVESTIGATIONS, COMPLAINTS, OR LAWSUITS, FY 09-11 | 20 |
| 2.6.1 | Summary of Complaints to the Regional Customer Call Center | 20 |
| 2.6.2 | Summary of Complaints to Scottsdale | 23 |
| 2.6.3 | Summary of Complaints To a Federal Agency | 24 |
| 2.7 | EVALUATION OF FARE POLICY CHANGES FY 09 | 24 |
| 2.8 | EVALUATION OF SERVICE CHANGES FY 09-11 | 25 |
| 2.8.1 | FY 09 Service Changes | 26 |
| 2.8.2 | FY 10 Service Changes | 26 |
| 2.8.3 | FY 11 Service Changes | 26 |
| 2.9 | ANALYSIS OF CONSTRUCTION PROJECTS | 27 |
| 2.9.1 | ASU Skysong On Street Transit Center | 27 |
| 2.92 | Mustang Transit Center/Park and Ride Facility | 27 |
| 2.93 | North Scottsdale/Loop 101 Park and Ride (Scottsdale and Thunderbird Roads) | 27 |
| 2.10 | MONITORING SERVICE FOR SERVICE EQUITY | 27 |

Tables

| | | |
|---|---|----|
| 1 | Population Language Mastery | 7 |
| 2 | Points of Contact for LEP Persons vs. Frequency of Contact | 7 |
| 3 | Demographic Information for City of Scottsdale | 11 |
| 4 | Transportation Master Plan Frequency Goals | 13 |
| 5 | Scottsdale Transit Public Outreach Opportunities, FY 09-11 | 17 |
| 6 | Regional Customer Service Call Center Log , Title VI Cases Received, FY 09-11 | 21 |
| 7 | Complaints Conveyed Directly to the City of Scottsdale | 23 |
| 8 | Monitoring Equity, Transit Travel Time Comparison | 28 |

Attachments

| | | |
|---|--|----|
| A | City of Scottsdale Title VI Complaint Form | 28 |
| B | Base Map of Service Area | 31 |
| C | LEP Population in the Service Area Map | 32 |
| D | City of Scottsdale, Minority Population Map | 33 |
| E | City of Scottsdale, Low Income Population Map | 34 |
| F | City of Scottsdale, Age 65+ Population Map | 35 |
| G | City of Scottsdale, Population with Disability Map | 36 |

| | | |
|----|--|----|
| H1 | Route 66 Service Change, Low Income Population Affected Map | 37 |
| H2 | Route 66 Service Change, Minority Population Affected Map | 38 |
| H3 | Route 66 Service Change, LEP Population Affected Map | 39 |
| H4 | Route 66 Service Change, ADA Population Affected Map | 40 |
| H5 | Route 66 Service Change, 65+ Population Affected Map | 41 |
| I1 | Route 84 Service Change, Low Income Population Affected Map | 42 |
| I2 | Route 84 Service Change, Minority Population Affected Map | 43 |
| I3 | Route 84 Service Change, LEP Population Affected Map | 44 |
| I4 | Route 84 Service Change, ADA Population Affected Map | 45 |
| I5 | Route 84 Service Change, 65+ Population Affected Map | 46 |
| J1 | Route 114 Service Change, Low Income Population Affected Map | 47 |
| J2 | Route 114 Service Change, Minority Population Affected Map | 48 |
| J3 | Route 114 Service Change, LEP Population Affected Map | 49 |
| J4 | Route 114 Service Change, ADA Population Affected Map | 50 |
| J5 | Route 114 Service Change, 65+ Population Affected Map | 51 |
| K1 | Route 572 Service Change, Low Income Population Affected Map | 52 |
| K2 | Route 572 Express Service Change, Minority Population Affected Map | 53 |
| K3 | Route 572 Express Service Change, LEP Population Affected Map | 54 |
| K4 | Route 572 Express Service Change, ADA Population Affected Map | 55 |
| K5 | Route 572 Express Service Change, 65+ Population Affected Map | 56 |
| L1 | Downtown Route Change, Low Income Population Affected Map | 57 |
| L2 | Downtown Route Change, Minority Population Affected Map | 58 |
| L3 | Downtown Route Change, LEP Population Affected Map | 59 |
| L4 | Downtown Route Change, ADA Population Affected Map | 60 |
| L5 | Downtown Route Change, 65+ Population Affected Map | 61 |
| M | Service Monitoring, Travel Time Residence to Destination Map | 62 |

BACKGROUND AND OVERVIEW

The City of Scottsdale provides transit service on two interlinking systems. Regional bus service is provided through two contracts with Valley Metro (the Regional Transportation service provider and designated Regional Public Transit Authority), and the City of Phoenix. Circulator City service within the City is provided using City owned vehicles through an operational contract with Dunn Transit. The City is a beneficiary of Federal Transit Administration (FTA) grant funds to provide service, purchase vehicles, and transit facilities.

As a recipient of federal funding (Sections 5307, 5309, 5316, and 5317 grants and ARRA), Scottsdale is required to take reasonable actions to ensure access to transit programs and services. The underlying philosophy for providing Americans with non-discriminatory access to transit services and facilities is conveyed in multiple pieces of legislation including: Title VI of the Civil Rights Act of 1964, Executive Order 13166 (2000), Section 505 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 as amended. While this plan addresses all these laws and others, it more specifically addresses Title VI and Executive Order 13166 for purposes of FTA reporting.

Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that:

"no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

Executive Order 136166 (2000) specifically addresses access to Persons with Limited English Proficiency:

"Improving Access to Services for Persons with Limited English Proficiency", requires Federal agencies to examine the services provided and implement a system by which Limited English Proficiency (LEP) persons can meaningfully access those services.

Section 504 of the Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990 (as amended) these Acts related to non discrimination based on disability (the ADA).

Title II of The ADA prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress. Title II covers all activities of State and local governments regardless of the government entity's size or receipt of Federal funding. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g.

public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings).

As a beneficiary of FTA funding, Scottsdale is committed to ensuring that no person is excluded from participation in, or denied the benefits of, its transit services on the basis of race, color, national origin, age, language, religion, sex, income or disability as protected by Title VI and described in FTA Circular 4702.1.A.

As a subrecipient of the following Federal funding sources used for both operations and capital, the City of Scottsdale submits this Title VI plan update to the City of Phoenix for inclusion in the Phoenix-Mesa Metropolitan Planning Area Title VI documentation for FTA.

This document is written in two parts: Section One delineates Scottsdale's overall Title VI policies and methods for complying with Title VI regulations and guidelines. Section Two is the Cities program update including an evaluation of any changes made for FY 09-11. The plan provides guidance to the City of Scottsdale in its administration and management of Title VI related activities - including service operations and capital projects. The elements of the plan dovetail public participation in effective planning and design of projects with ensuring fair and equitable distribution of transit services and facilities. In this way access to transit service and projects for the Scottsdale community is coordinated and inclusive, and is in keeping with the spirit of the legislation.

SECTION ONE: TITLE VI POLICIES AND METHODOLOGIES SECTION

1.1 ANNUAL TITLE-VI CERTIFICATION AND ASSURANCE

It is the policy of the City of Scottsdale to provide equal opportunity to all people who are admitted to, participate in, or are recipients of Scottsdale's transit services. As a sub recipient of Federal financial assistance the City of Scottsdale does not discriminate on the basis of race, color, national origin, age, language, religion, sex, income or disability in admissions to or participation in any of its transit programs or activities, whether carried out directly by the City of Scottsdale or through a contractor or any other entity with whom Scottsdale arranges to carry out its programs and activities.

This statement is in accordance with the provisions of Title VI, the Civil Rights Act of 1964, Executive Order 136166, and Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990 as amended, as well as other Federal laws and regulations providing similar types of protections. A similar assurance statement is contained in all transit contracts and Intergovernmental Agreements for both operations and capital projects.

Users of the Scottsdale bus and trolley systems are invited to inquire about the City's non discrimination policies, or to file a discrimination (Title VI) complaint, by contacting:

City of Scottsdale

Phone: 480-312-3111

Website: www.scottsdaleaz.gov;

Email: callcenter@scottsdaleaz.gov.

City of Scottsdale

Transportation Department

Attn: Transit Title VI Coordinator,

7447 E. Indian School Rd.

Scottsdale, AZ 85251

Valley Metro Customer Service

Phone: Customer Service: (602) 253-5000 /

TTY: (602) 251-2039

Email: csr@valleymetro.org

Website: www.valleymetro.org

Mailing Address:

Attn: Customer Service, Valley Metro/RPTA

4600 E. Washington St., Suite 101

Phoenix, AZ 85034



David E. Richert,
City Manager

2/1/2012
Date

1.2 TITLE-VI COMPLAINT PROCEDURES

The City of Scottsdale strives to provide equal access to all its transportation services for everyone. This plan element describes the citizen complaint process for reporting instances of discriminatory behavior that are believed to be based on the grounds of race, color, national origin, age, language, religion, sex, income or disability. Complainants have the option of filing a complaint through the Regional Customer Service Call Center (operated by Valley Metro), directly to the City of Scottsdale, or to an outside or state agency. The following procedures pertain to all complaints of alleged discrimination in the City's transit program filed to us directly or through the Regional Customer Service Center. Scottsdale's goal is to obtain complete and timely resolution of all complaints.

A summary of complaints, including any investigative work or lawsuits arising during the time period FY 09-11 are detailed in the Program Update Section 2.6.

1.2.1 Regional Customer Service Call Center Complaints

Complaints that are conveyed through the Call Center are entered into the Customer Assistance System (CAS) software system. Information on filing a complaint through this process is available in the Valley Metro Transit Book and on the Valley Metro website. Each complaint related to discrimination is automatically entered into a Title VI complaint log and given a case number. Each of the following steps is then completed:

- a. Summary of complaint
- b. Statement of issues
- c. Respondent's reply to each issue
- d. Findings of fact
- e. Citations of pertinent regulations and rules
- f. Conclusions of law
- g. Description of remedy for each violation

Throughout the process the log tracks the incident date, primary complaint category and subcategory, and the resolution and close date. City of Scottsdale staff log into the program on a daily basis and work with the contract service provider or with the agency contracting with the service provider, to ensure an investigation is initiated and completed according to Federal standards; and, to ensure the customer receives a response outlining the appropriate action taken to remedy each problem. A more complete set of procedures for this process is located in the City of Phoenix's Title VI Plan. Scottsdale, the RPTA, and City of Phoenix are working together to improve this complaint responses and resolution process.

1.2.2 City of Scottsdale Complaints

Forms and procedures for conveying complaints directly to the City are available by mail upon request, and are available on the city's website. A copy of the form is shown in Attachment A below.

- a. A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or their representative, and include complainant's name, address and telephone number, name of alleged discriminating official, basis of complaint (race, color, national origin, age, language, religion, sex, income or disability), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints. The City encourages the use of the attached City of Scottsdale, AZ Title VI Complaint form when filing official complaints (see below); however, any format will be accepted. When a City form is not used, the Title VI Coordinator may ask for additional information and will do so as outlined in step 2 below.
- a. Should the complainant be unable or incapable of providing a written account, a verbal complaint may be made to the City's Title VI Coordinator. The complainant will be interviewed, and the Coordinator or a City Human Services Specialist will assist in converting the verbal allegation into written form.
- b. When a complaint is received, the Title VI Coordinator will provide written acknowledgement to the complainant within 10 business days by registered mail, including a determination as to the completeness of the information provided.
- c. If a complaint is deemed incomplete, the additional information needed will be itemized in the written notification. The additional information must be provided by the complainant to the City within 60 business days from the postmark date on the City's acknowledgement letter.
- d. Within 15 business days from receipt of a complete complaint, the City will determine its jurisdiction in the matter, whether the complaint has sufficient merit warranting investigation, and will send written notification of the disposition to the complainant by registered mail.
- e. If the decision is to not investigate the complaint, the notification shall specify the reason for the decision.
- f. If the decision is to investigate, the notification shall state the grounds of the City's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- g. The Coordinator will conduct a full investigation of the complaint and a report will be submitted to the complainant and to the Transportation Director within 60 days from the receipt of the complaint. The report will include:
 - i. The narrative description of the incident,
 - ii. Summary of all persons interviewed
 - iii. Findings with recommendations and conciliatory measures where/if appropriate

- h. If the investigation cannot be completed within the 60 day period and a notification letter is issued to the complainant within the 60 day window, the Title VI Coordinator will notify the appropriate authorities and issue a letter to the complainant explaining the reason and timeline for the extension.
- i. The Coordinator will issue a letter of finding and corrective action that will be taken, if appropriate, to the complainant.

1.2.3 Federal Agency Complaints

A complainant that would like to take their case directly to an outside Federal agency has the right to file a complaint with the Federal Transit Administration at the following address:

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor - TCR
1200 New Jersey Ave., SE
Washington, DC 20590

The complaint procedures for FTA are found on the FTA web site:

<http://www.fta.dot.gov/civilrights/12884.html>.

The FTA procedures are also outlined in FTA Circular 4702.1A, Chapter IX, and can also be found on the FTA web site <http://www.fta.dot.gov>

1.3 RECORD OF INVESTIGATIONS/COMPLAINTS/LAWSUITS

The City of Scottsdale keeps records of all investigations, complaints and lawsuits through the resolution to case closure. As of the date of this report, all complaints have been resolved to the satisfaction of the complainant except one outstanding FTA office of Civil Rights claim (the City's first) alleging discrimination on the basis of disability through a letter dated April 26, 2010. In November, 2011 Scottsdale received a communication from FTA notifying the City that FTA is scheduled to conclude its monitoring of Scottsdale Trolley system as it relates to FTA Complaint #09-0188 in December 2011, requesting additional lift operation information for the time period October 5, 2010 through December 30, 2011 due to FTA February 1, 2012. Scottsdale has delivered the requested information and is awaiting a response from FTA. To the best of our knowledge, there are presently no other ongoing civil rights compliance review activities being conducted with respect to Scottsdale's transit system, bus or circulator system, related to either operations or capital projects.

A complete list of all Title VI complaints, lawsuits, or investigations (including a summary of the allegation, the status of the allegation, and description of the action taken) is located in Section 2.6 of this report.

1.4 PROVIDING MEANINGFUL ACCESS TO LEP PERSONS

1.4.1 Providing Access to Transit Services and Activities

The same legislation, Title VI of the Civil Rights act and Executive Order 13166 (2000), also define the need to include persons with Limited English Proficiency (LEP) in the provision of full transit access. The purpose of this LEP plan is to document Scottsdale's approach for complying with the City's responsibilities to LEP persons as defined by these and other legislative documents.

Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (August 2000), reinforces the Federal Government's commitment to improving the accessibility of services to eligible LEP persons, a goal that reinforces the government's equally important commitment to promoting programs and activities designed to help individuals learn English. The order directs each Federal agency to work to ensure that recipients of Federal financial assistance (including recipients of FTA funds) provide meaningful access to their LEP applicants and beneficiaries.

The plan identifies the steps Scottsdale takes toward providing language assistance for LEP persons seeking meaningful access to the City's transit system. By Federal definition, a LEP person is one who does not speak English as their primary language and who has a limited ability to read, speak, write or understand English. The Census Bureau classifies mastery of the English language into four categories: 1) very well, 2) well, 3) not well, and 4) not at all. The term "less than very well" includes categories 2, 3 and 4, and defines the LEP audience which is the focus of this LEP language assistance plan. The plan provides guidance on how to identify a person who may have language assistance needs and various methods for supplying assistance.

1.4.2 Scottsdale Service Area Description

The area served with transit within the City of Scottsdale is shown in the Attachment B map. Within the service area, there are two transit service systems - the regional bus system, and the City's circulator system. The two systems, which overlap, are also delineated in the Attachment along with key trip generators and public meeting facilities. The service area shown also includes the area 3/4 mile around each bus and trolley route served by Dial a Ride service. Scottsdale coordinates with the City of Phoenix and the RPTA to ensure access needs are met for regional bus service provided within the City, and the City takes responsibility for ensuring that access needs are met for its own circulator service. The general boundaries for each operating area are defined as:

Regional bus system operating area:

- Thompson Peak Road at the north
- Pima Road to the East
- 68th Street to the west
- McKellips Road to the South

Circulator system operating area:

- McDonald Road at the north end (west to The Arizona canal, and the Canal southwest to 68th Street)
- 68th Street to the west
- McKellips Road to the south (city limits)
- Miller Road to the east

1.4.3 Identifying LEP Populations

The City of Scottsdale Transit Department uses the following U.S. Department of Transportation four-factor LEP analysis to identify the City's LEP population, and strives to balance the four factors in its program design.

- a. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
- b. The frequency with which LEP individuals come in contact with the program.
- c. The nature and importance of the program, activity, or service provided by the recipient to people's lives.
- d. The resources available to the recipient and costs.

1.4.4 Service Area Evaluation by Factor

The following is Scottsdale's evaluation of each factor which forms the basis for our approach to ensuring and enhancing access for the City's LEP population.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.

According to the U.S. Census Bureau 2006-10 American Community Survey, 5-Year Estimates for the City of Scottsdale there are 39 different languages spoken in households where English is not the predominate language. Eighty-six percent of the population speaks English as a primary language and seven percent of the population speaks Spanish as the primary language (see Table 1 below). The remaining seven percent of the population represents 38 different languages as the primary language; however, each language spoken represents less than one percent of the entire city population.

In all, the City of Scottsdale has a total LEP population of approximately 9,706 or five (5) percent of the total population. This percent is less than half that of the Phoenix Metropolitan Area (12 percent). The population counts of the four most predominant primary language populations are Spanish (6,025), Chinese (447), French (412), and Russian (310). The map in Attachment C delineates Census information regarding LEP populations in Scottsdale based on Census information, as well as trip generators and public meeting facilities. The map also indicates that when the bus and trolley systems are overlain on the LEP population it can be seen that the service area encompasses the City's entire LEP population.

Scottsdale has two factors that compel our City to be proactive in meeting the needs of our minority and LEP populations. The City's resort and tourism industry draws workers from throughout the Valley making Scottsdale a net importer of employees, many of whom are LEP. The tourism industry also attracts thousands of international visitors who are well versed in using transit, but who do not always speak English very well. While Scottsdale's LEP and other minority populations appear small, the City recognizes the need to be proactive in meeting access needs for these populations for the benefit of employers, visitors, the community and our own LEP population.

Table 1. Population Language Mastery¹

| Category | Estimated Number | Percent of Total |
|-------------------------------------|-------------------------|-------------------------|
| Total Population | 208,948 | 100% |
| Speak only English | 180,496 | 86% |
| Speak English "very well" | 18,746 | 9% |
| Speak English less than "very well" | 9,706 | 5% |

¹ Data base: U.S. Census Bureau 2006-10 American Community Survey, 5-Year Estimates.

Factor 2: The frequency with which LEP individuals come in contact with the program.

The frequency with which staff and drivers have, or could have, contact with LEP persons was analyzed by talking with transit staff and drivers (the lack of complaints from LEP consumers is not assumed to necessarily correspond to lower incident of program contact), and by reviewing customer complaints for all routes in our City. Table 2 below gauges the frequency of contact with the various points of possible contact. It was determined that the highest points of contact were with the vehicles and drivers, while points of contact with the lowest frequency include previous website surveys, tourist destination guides, public meetings, and the contract operator's own website.

Table 2. Points of Contact for LEP Persons vs. Frequency of Contact

| Point of Contact | Frequency Level |
|---|------------------------|
| Trolley vehicles, including exterior and interior signage | High |
| Drivers | High |
| City Transit Website | Medium |
| Website surveys | Low |
| Trolley Brochure | Medium |
| Tourist Destination guides referencing the Trolley System | Low |
| On street signage including trolley stop signs | Medium |
| Transit operator's staff | Medium |
| Media publications | Medium |
| Public outreach meetings | Low |
| Trolley Operator's Website | Low |

Factor 3: The nature and importance of the program, activity, or service provided by the recipient to people's lives.

As the map shows in Attachment C, the trolley circulator system provides service to neighborhoods with the highest number of LEP persons, providing them with connections to job centers, local medical, retail, schools (elementary through college), entertainment, recreation and civic destinations. In addition, the system provides connections to ten (10) Local fixed routes and three (3) peak hour Express routes for travel throughout Maricopa County including to the light rail system. These connections make the City's circulator system an important service or benefit from, a health, education, economic, and safety perspective.

The RPTA's 2010 Origin and Destination Study reported that in the Phoenix region, 33 percent of the bus trips were for work purposes and 22 percent of the trips were for school purposes. Approximately 29 percent of the users surveyed reported they could not have made their trip if transit were not available. Also of those surveyed, over 48 percent reported they lived in a household with no car available. This data emphasizes the importance of transit to the lives of our users in the Phoenix Metropolitan area as well as in the City of Scottsdale.

Factor 4: The resources available to the recipient and costs.

While financial resources have been reduced during the last three years, Scottsdale has many resources available to help develop materials and provide translation services, including resources from Arizona State University and Scottsdale Community College. In addition, the City has its own video production, graphics, and printing facilities which have been instrumental in providing materials for meetings, vehicle notifications, and the website. A Spanish version of our route brochure is available and soon a French, Chinese, and Russian version will be available due to student intern projects through the University.

Many of the circulator drivers speak Spanish, while other City employees have been identified that speak languages other than English including French, Chinese, and Russian. These employees volunteer translation assistance at transit public meetings when needed.

The City of Scottsdale has several facilities with meeting spaces at or near populations of LEP individuals as shown on the map in Attachment C. It is our policy to hold public outreach meetings for transit projects and service changes at these facilities and often during hours when our circulator service is operating.

1.4.5 Limited English Proficiency (LEP) Plan

The FTA guidelines require LEP plans to address six elements that include identifying LEP individuals with language needs, delineating the measures and materials needed, training staff, providing notice to LEP persons regarding availability of assistance, and disseminating copies of the plan and updating it. The City's transit LEP Plan is located in Section 2.5 of this report. Copies of the plan can be accessed from the City's website, or placing a request to the Customer Call Center at 480-312-3111 or by emailing callcenter@scottsdaleaz.gov.

1.5 BENEFICIARY NOTIFICATION OF TITLE VI RIGHTS, PUBLIC NOTIFICATION

In compliance with 49 CFR Section 21.9(d), the City provides information to the public regarding its Title VI obligations and appraises members of the public of the protections against discrimination afforded to them by Title VI using the following notice in defined areas:

“The City of Scottsdale operates its programs, including the provision of transit services, without regard to race, color, national origin, age, language, religion, sex, income or disability. For inquiries about the City’s non discrimination policies, or to file a discrimination (Title VI) complaint, contact the City Call Center, 480-312-3111, visit the City website www.scottsdaleaz.gov or contact the Federal Transit Administration (FTA), at the FTA web site: www.fta.dot.gov”.

This notice is posted inside all transit vehicles, in the City Transit Office lobby, on our website and in written materials including route brochures.

1.6 PROVISION OF ADDITIONAL INFORMATION UPON REQUEST

The City of Scottsdale acknowledges that, at the discretion of the FTA, information other than that which is required by FTA C 4702.1A may be requested by the FTA in writing to the City of Scottsdale, to use in investigating complaints of discrimination or to resolve concerns about possible noncompliance with Title VI. The City of Scottsdale will comply with any such request.

1.7 INCLUSIVE PUBLIC PARTICIPATION

Scottsdale Transportation Department works with a City Council appointed advisory Transportation Commission. The Commission has monthly meetings at which the public is invited to make either generic transit comments or comments specific to any transit project, route, or other transit related issue. The Commission meetings are not accessible directly by the City’s circulator system, and occasionally the meetings end after fixed route bus service ends. The Commission occasionally holds a public hearing, after other public meetings more centrally located to the low income and minority populations have been held on a given topic.

Public meetings and hearings are held at several accessible locations (as will be shown later in Section 2.1, Demographic Data) within the areas with populations identified as low income, minority, LEP, senior, and disabled. These locations are all served by the City’s circulator system and meetings are held during the hours of operation. In addition, the City strives to hold at least one daytime meeting at the Granite Reef Senior Center (centrally located) to reach out to individuals that otherwise would have a difficult time attending a night meeting.

In fiscal year (FY) 11, transit staff contacted a club in Scottsdale (The Latin Group) in an effort to build a working relationship with them. The club is a diverse group that strives to create a sense of community through their events that will spill into the lives of individuals. Although the

Latin Group was created with Latinos in mind, their goal is to promote all cultures. Staff hopes to develop a working relationship with this group to help the City identify community transit needs. The Transit office also has a relationship with the City's Diversity Advisory Committee (DAC) which has grown over time since 1997. DAC holds an annual Unity Festival and Hispanic Heritage programs. The transit team, when possible, provides an information booth at DAC events.

SECTION TWO: TITLE VI PROGRAM UPDATE

2.1 DEMOGRAPHIC DATA

The City of Scottsdale collects and analyzes demographic data as required from census information. The demographic information derived from this information for Scottsdale is contained in Table 3 below. The maps in Attachments D, E, F, G show minority, low income, age and disability population locations within the City of Scottsdale. The maps indicate these population groups are generally located in Southern Scottsdale, and are served by the City's circulator system and bus fixed route service.

Table 3. Demographic Information for City of Scottsdale¹

| Category by Race | 2010 Census Estimate |
|--|-----------------------------|
| Total Population: | 217,385 |
| White alone | 194,062 |
| Black or African American alone | 3,652 |
| American Indian and Alaska Native alone | 1,741 |
| Asian alone | 7,239 |
| Native Hawaiian and Other Pacific Islander alone | 208 |
| Some other race alone | 5,525 |
| Two or more races: | 4,958 |
| Category by Ethnicity | |
| Hispanic or Latino (of any race) | 19,225* |
| Not Hispanic or Latino (of any race) | 198,160 |

¹ Data from the 2010 Census. Hispanic/Latino Origin is considered an ethnicity and can be of any race.

2.2 SYSTEMWIDE SERVICE STANDARDS

Scottsdale monitors service provided by the individual contractors (City of Phoenix and Valley Metro) for fixed route bus service on its nine (9) local routes and three (3) express routes. The following sections describe the City's standards for vehicle load, headway, on-time performance, passenger amenities, and service availability. The most comprehensive monitoring is accomplished through the Customer Contact system which provides information on a daily basis from passenger complaints. Scottsdale meets quarterly with the City of Phoenix to discuss service performance and to address consistent issues as they arise.

The Transit Element of the City's Master Transportation Plan delineates the Vision, Goals, and Objectives for transit service. The Master Plan is currently being updated and the update will

include performance standards for each of the service standards. The following Vision, goal and objectives pertain to the City's service standards.

Vision: Provide a balanced, accessible, multi-modal transportation system for the City of Scottsdale that gives Scottsdale residents and visitors choices in how to travel that support the safe, efficient movement of people and goods.

Goal: Improve accessibility, availability, efficiency, and viability of transit services for all users within the City of Scottsdale.

Objectives (relating to service standards):

- Offer increased bus frequency and a longer span of service throughout the day.
- Continue to meet the mobility requirements for persons with disabilities, as required by the Americans with Disabilities Act (ADA).
- Develop safe, comfortable, and convenient transit facilities, such as transit centers and park-and-ride lots that are served by local and regional transit services.
- Use technology to improve passenger convenience, system efficiency and effectiveness.
- Develop service standards and levels to meet or exceed regional service standards and levels.
- Demand high standards from contractors providing service (i.e. passenger comfort, customer and service reliability).

2.2.1 Vehicle Load

The City monitors trolley circulators for loading. The 15 trolley vehicles accommodate 44 seated and standing while the six (6) buses accommodate 50 seated and standing. Scottsdale's load standard is the capacity of the vehicle. To date there have been only sporadic incidences of vehicle overloading. When that occurs, passengers are left behind to wait for the next vehicle. In FY 12 the Miller Rd. and Neighborhood routes began experiencing overloading sporadically. Within the next year, a portion of the fleet will be replaced. Larger vehicles are being acquired to operate on the Miller Rd. and Neighborhood trolley circulator routes where the overloads occur.

2.2.2 Vehicle Headways (frequency)

The Master Plan outlines service standards. As the transit revenues have declined during the past three years, it has been difficult to continue to work toward the goal of 15 minutes during peak hours and 30 minutes on weekends. When the Master Plan was adopted in 2008, revenues were at a historic high. Current revenues are comparable to those available in 2000.

Two of the trolley circulator routes have headways designed to serve the passenger loads with 30 minute frequency on the Miller Road Route and 20 minute frequency on the Neighborhood Route. The Downtown Route service frequency has changed from the 10 minute frequency in the Master Plan to 15 minutes, and is designed to promote the City's "park once" philosophy.

By providing convenient frequent service, it is hoped that downtown visitors will park once and walk, bike or ride the trolley between destinations.

Table 4. Transportation Master Plan Frequency Goals

| Service Type | Peak | Off Peak |
|--------------------------------|-------------|-----------------|
| Fixed Route Bus Service | | |
| Weekday | 15 Min. | 30 Min. |
| Weekend | 30 Min. | 30 Min. |
| Express Bus Service | 15-30 Min. | NA |
| City Circulator Service | | |
| Neighborhood Route | 20 Min. | 20 Min. |
| Downtown Route | 10 Min. | 10 Min. |
| Miller Road Route | 30 Min. | 30 Min. |

2.2.3 On-time Performance

The trolley circulator contractor is required to meet a ninety-seven (97) percent ratio of on-time trips, which is defined as being zero (0) to five (5) minutes late leaving scheduled stops. No vehicle shall leave stops ahead of schedule. To date, the contractor has met this standard. The trolley circulator system does not have an actual schedule of stops like a fixed route system; however, the City of Scottsdale still monitors on-time performance.

The two fixed route contractors (City of Phoenix and RPTA) provide service using a regional on-time performance standard of 93 percent. The 2010 RPTA performance report indicates the Valley Metro system exceeded the standard by achieving a 95.8 percent on-time performance.

2.2.4 Distribution of Transit Amenities

It was noted in the Master Plan that bus stop spacing is “inconsistent and generally ranges from 1/8 to 1/2 mile spacing on fixed routes”. During the past three years Scottsdale has worked hard to make bus stop spacing more uniform by adhering to 1/4 mile spacing, understanding that there are some special circumstances where uniformity does not serve passengers well.

The trolley vehicles used by the city use wood slat seating, to emulate the early 1920’s transit vehicle ambiance. Public comments generated at recent public meetings held to discuss replacement of the trolley vehicles indicates the public would like more comfortable seating in the new vehicles, except those used for the Downtown “Old Town” Route. In the discussion, the community has shown overwhelming support for the switch to low floor vehicles to better serve our senior and disabled populations.

In FY 09 the Transit department took over the cleaning of bus stops directly by hiring an employee to perform routine maintenance and cleaning of all bus stops on a weekly basis. Transit is now able to clean the stops more frequently, more thoroughly and keep the graffiti at bay. In addition, stops along the more heavily used routes can be cleaned daily if needed.

A new bus shelter was designed in 2011 that incorporates several design elements that facilitate better access, a more comfortable environment, and better wheelchair accommodation by providing shade the majority of the day, solar lighting, ventilation and complete access and circulation inside and outside the sheltered area. Shelters will now only be located back of sidewalk in such a manner that transit users are able to enter and exit transit vehicles safely. Every new shelter is being placed as a package of amenities including the shelter and pad, trash receptacle, bicycle rack, and bench. In addition, during the next fiscal year, 47 older shelters will be rehabilitated to include painting, new roofs, shade panels where possible, new trash receptacles and the addition of a bicycle rack if needed.

2.2.5 Service Availability

As the census maps indicate, the city provides service to a large portion of minority, low income, LEP, age 65+ and disabled populations. The maps in Attachments E, E, F, and G show each population group within 1/2 mile of a fixed route or circulator route.

2.3 SERVICE POLICIES

Service policies are in place to guard against service design and operational policies that have dissimilar impacts. For example, the service policies guard against using older buses on a route segment that serves a low income population unintentionally; or, locating routes closer to non-minority populations and disproportionately increasing the travel time for minorities.

2.3.1 Vehicle Assignment

Scottsdale operates two types of vehicles, 15 Supreme trolley buses and six (6) 30-foot Eldorado busses. The high floor trolley vehicles were first used exclusively beginning in 2003 on the Downtown and Neighborhood routes. In 2010 the City took over operation of the Valley Metro route 76 (the neighboring City of Tempe eliminated their segment of the route) and turned it into a circulator route. Because Scottsdale owned the Eldorado vehicles being used to operate Route 76 service, the City transferred the vehicles over to the new operator and continues to use them to operate the service now branded as the Miller Rd. Route. As our vehicle fleet has aged, maintenance issues have forced more mixing and matching of vehicle types on all routes over the past year to balance vehicle mileage. The more comfortable and accessible low floor Eldorado vehicles are used throughout the system. Scottsdale is currently in the process of replacing the entire vehicle fleet (2013-2015) with the same low floor vehicle type for all routes.

Our outside contractors (RPTA and City of Phoenix) likewise operate their fleet to balance mileage and rotate new and old vehicles on all the routes including the portion of each route within Scottsdale.

2.3.2 Transit Security

At this point in time, the vehicles we own do not have vehicle surveillance or monitoring equipment (this technology is being included in new vehicle purchases in 2013). Scottsdale also

does not fund a transit specific security program; instead we work with the City of Scottsdale Police Department for help in responding to issues and proactive use of undercover officers where needed. Each trolley driver is equipped with a radio, and has been trained by the Police Department to act as the eyes and ears of the community and to report suspicious activities in or around their vehicles and facilities.

The City's contractors (Valley Metro/RPTA and City of Phoenix) have a transit specific police detail and private security. They act as the administration regionally and provide resources to local transit operators when needed. These agencies receive Homeland Security funding and training. Scottsdale's Police Department is involved in training exercises with these two regional operators.

2.4 SUMMARY OF PUBLIC OUTREACH ACTIVITIES FY 09-11

For the last three consecutive fiscal years (FY 09-11) the City of Scottsdale has made structural changes to its transit budget as the City's overall tax revenues declined, transit operating revenues from dedicated State sources declined, and City General Fund revenues were eliminated from the transit budget. During this period, routes were eliminated, service frequency on some routes was increased, hours of operation were curtailed and one facility was closed. In addition, the region implemented a fare increase in FY 09. As transit staff embarked on the structural changes that reduced the system to a more efficient core system, several public meetings and public hearings were held at the local and regional level.

The public outreach activities conducted to seek public comment on the service and facility changes that occurred are listed below by fiscal year. At each meeting, the public was encouraged to make verbal or written comments. Press releases went out and as a result news paper articles announced the public meetings in every case. Public meetings about transit changes are generally held in concert with Transportation Commission meetings where a special public comment period is held before and/or following the transit presentation to the commission.

2.4.1 Meeting Locations

The Commission meetings are held at City Hall which is centrally located in South Scottsdale - the area of the highest density of low income, minority, senior, and LEP individuals and households. Meetings held at City Hall are televised on public access Channel 11. When route changes were proposed for areas outside of the South Scottsdale area or additional public input was needed, a special meeting was held closer to the actual route/route segment being proposed for changes. Except for Commission meetings, transit public meetings are held at a variety of times in the day to accommodate the needs of our population and encourage attendance.

2.4.2 Meeting Notification and Timing

Public input meetings are held several weeks before decisions are made. A news release is sent to the local newspaper, and information is posted on the City's website and at the meeting location.

For route changes, notices are posted at every major intersection bus stops throughout the City, and at every stop along the route affected by the change. In the case of the fare increase, every bus stop was posted throughout the City. The City's website is also updated to provide public involvement information, meeting details, route change information, and is used for intake of public comments.

Where regional routes are affected by changes, car cards in buses are used to notify riders of upcoming public meetings.

2.4.3 Meeting Event Sequence and Materials

All public meetings begin with greeting the customer at the door and offering language or other assistance/accommodation. Transit public meetings begin with an introduction and an educational presentation before discussion and recording of comments. Copies of the presentation slides are available in print for those needing reading assistance, and comment cards are available at the greeting desk. It is our goal to have a transit staff person who speaks at least limited Spanish at each public meeting, and if requested, a translator for Spanish or any other language is provided.

City of Scottsdale transit staff also participates in regional meetings held by the RPTA. For public meetings involving regional changes, the RPTA and Scottsdale coordinate disseminating notification using car cards, news releases, website information, and rider alerts. Written and verbal comments are encouraged at the RPTA Customer Service office. A summary of transit public meetings held in FY 09-11 is presented in Table 5 below. A total of 34 public meetings were held for:

- Three sets of budgetary reduction service changes, (16)
- Regional fare increases for fixed route and dial a ride (3)
- One routing change requested by Downtown merchants (7)
- One High Capacity Transit (HCT) Alternatives Analysis (6)
- Reductions to the Transit Life Cycle Plan (regional funding source) (2)

Table 5. Scottsdale Transit Public Outreach Opportunities, FY 09-11

| Meeting Date | Topic Route/Segment Elimination (RE) Trip(s) Elimination (ET) Facility Changes (FC) Route Expansion (RX) | Notification Type Press Release (PR) Newspaper Article (NA) Newsletter/Bulletin (NB) City Website (W) VM Website (VW) Door Hangers (DH) Bus Stop Notice (S) | Location Granite Reef (GR) Piute (P) Cactus (C) City Hall (CH) Mustang Library(NL) | Assistance Provided Greeter (G) Spanish Interpreter Available (SI) |
|---|--|---|--|---|
| Service Changes Proposed for FY 09 Implementation | | | | |
| 12/18/08 01/07/09 1/15/09 | ET, RE: Routes 17, 29, 41, 50, 76, 84, 106, 154, 170 | PR, NA, NB, W, VW, S | CH –Transp. Commission Tempe Regional CH –Transp. Commission | SI |
| 01/07/09 1/8/09 3/13/09 | Regional Fare Increase | PR, NA, NB, W, VW, S | Tempe – Regional Webinar - Regional GR – Senior Center | G, SI G, SI |
| Service Changes Proposed for FY 10 Implementation | | | | |
| 4/5-4/10/09 5/10/09 5/21/09 6/18/09 | RE, ET, F: Routes 66, 72, 84, 114, and DT Trolley, Loloma Hours Reduction | PR, NA, W, S | Web Survey CH –Transp. Commission CH-Council/Budget Com. CH –Transp. Commission | SI |
| Service Changes Proposed for FY 11 Implementation | | | | |
| 2/17/10 3/4/10 4/12/10 4/15/10 4/21/10 4/26/10 5/18/10 5/20/10 6/8/10 | RT, ET, F: Routes 66, 76, 81, 170, NH and DT Trolley, Loloma Closure | PR, NA, NB, W, VW, S | CH –Transp. Commission CH –Transp. Commission CH-Budget Comm. Airport - Hearing GR – Senior Center CH –Transp. Commission CH-Council CH-Council | G, SI |
| Other Transit Public Meetings/Workshops | | | | |
| 6/15/10 7/15/10 7/19/10 7/21/10 10/27/10 10/28/10 12/9/10 2/8/11 2/8/11 | Scottsdale Road/Rural Road Alternatives Analysis Study | PR, NA, W, VW | Tempe – Workshop CH –Transp. Commission SD Airport - Public Skysong - Public Stadium – Public Airport – Public MAG Transit Committee Tempe city Council Tempe Commission | G, SI |
| 5/09-2/10 5/10/10 9/13/10 9/21/10 9/22/10 8/1-10/30/10 11/18/10 | Downtown (DT) Route | PR, NA, NB, W, Interviews | Community groups DT DT Taskforce DT Taskforce DT Office Open House Sr. Ctr. Open House Website Survey CH –Transp. Commission | G, SI |
| 10/15/09 11/19/09 | Transit Life Cycle Plan Update | Local funding source | CH –Transp. Commission CH- Transp. Commission | G, SI |

2.5 LIMITED ENGLISH PROFICIENCY (LEP) PLAN

The FTA guidelines require LEP plans to address six elements that include identifying LEP individuals with language needs, delineating the measures and materials needed, training staff, providing notice to LEP persons regarding availability of assistance, and disseminating copies of the plan and updating it. This section delineates Scottsdale's plan by addressing each of the six elements.

2.5.1 Element 1: Identifying LEP Individuals with Language Assistance Needs

Identification of LEP individuals onboard is made primarily by the vehicle driver. As a passenger boards a vehicle, the driver is the passenger's first interface. To assist drivers, language assistance sheets (Spanish, Chinese, Russian, and French) are available. The language assistance information sheets assist drivers in communicating with the customer, providing them with a brochure, or directing the customer to the City website. Several drivers also speak Spanish and can assist drivers who do not speak Spanish with passenger requests via radio.

A staff greeter at each public meeting helps determine language assistance needs through interactions with incoming attendees either through the use of learned Spanish phrases or language assistance cards.

Scottsdale transit staff also works with the City's Human Services department to provide information on transit as needed for their clients. The Human Services department also provides operations at the City's three community and senior centers, two of which are served by circulator service.

2.5.2 Element 2: Identifying Assistance Measures and Making Materials Available

Currently Scottsdale provides several means for providing assistance including:

- The City Call Center number, 480-312-3111, is the receiving point for LEP assistance calls and triages them to the appropriate staff. This number is printed on all materials.
- Language assistance cards are provided to drivers on every vehicle, as well as many drivers that speak enough Spanish to direct non-English speaking individuals to City resources.
- Website notification of assistance availability is posted on the City's transit website.
- Brochures – printed notification of assistance availability and route brochures currently printed in English and Spanish, also available on line (Chinese, Russian, and French under development).
- Providing bilingual Spanish speaking staff at public meetings and additional language translators when requested.
- Network with local ethnic and language organizations and the City's Diversity Advisory Committee to provide them with information for dissemination to their members about the city's transit programs.
- Language assistance information will be posted along with the Title VI information on new transit vehicles beginning in FY 13.

2.5.3 Element 3: Staff Training

A copy of this plan will be transmitted to the transit operator of the circulator service. In addition, the following has, and will continue to, occur.

- The transit Contract Administrator works with the transit operator to educate drivers and staff on Title VI/LEP requirements
- The contract operator provides training to transit operators on use of the language identification flashcards and appropriate ways to interact with individuals needing language assistance
- The contract operator provides training to transit operators on appropriate methods for interacting with a potential Title VI/LEP complainant

2.5.4 Element 4: Providing Notice to LEP Persons Regarding Availability Of Assistance

- Language assistance information is posted on all transit vehicles
- A Spanish version of the trolley brochure, include Title VI/LEP information is available on the vehicles (Chinese, Russian, and French versions being developed)
- The City's Transit Website contains LEP assistance information
- Public outreach materials and brochures contain the following statement:
"This information is available in alternative print upon request to the City of Scottsdale at 480-312-5000."

2.5.5 Element 5: LEP Plan Updates

This plan will be evaluated annually and updated every three years or sooner if necessary. The following evaluations should be undertaken at a minimum to gain information prior to the update:

- Compare more recent census information to the information used for the previous plan, if available, to determine if changes have occurred in the LEP population.
- Perform an annual evaluation of the contractor in May of each fiscal year to determine if the contractor has followed the plan and if any adjustments are needed. Compliance with the plan should be factored into whether or not the annual increase is granted or into the liquidated damages formula.
- Evaluate public outreach activities for LEP compliance and effectiveness.

2.5.6 Element 6: Distributing the LEP Plan

Copies of the LEP plan will be on file in the Transit office, and on the city's website in English and Spanish. A copy will be sent to the Human Services Department and the transit operator. Anyone may obtain a copy in English or Spanish upon request. The information available makes it clear that questions or comments regarding the plan can be directed to the City's Transit Manager:

Transit Manger
City of Scottsdale
7447 E. Indian School Road
Suite 205
Scottsdale, AZ 85251
Phone: 480.312.3111
callcenter@scottsdaleaz.gov

2.6 INVESTIGATIONS, COMPLAINTS, OR LAWSUITS, FY 09-11

2.6.1. Summary of Complaints to the Regional Customer Service Call Center

A list of Title VI complaints received through the Regional Customer Service Call Center is shown in Table 6 below. The list indicates that during the last three year period there were six customer complaints categorized as Title VI. Of the six submitted, one was determined to be valid and corrective action was taken. Three others did not have sufficient information and the person lodging the complaint either did not leave contact information or did not return phone calls. One was determined to be invalid upon review of a video.

2.6.2 Summary of Complaints to Scottsdale

During the three year period FY 09-11 one complaint was received relating to a construction project on Scottsdale Road and construction barricading that prevented safe wheelchair access to a transit stop. The complainant asked via email that the city remedy the problem. City staff immediately changed the pedestrian crossing signal activation button to operate automatically on every signal sequence (it was unreachable from the pathway), and altered the barricades to provide a safer route for wheel chair customers. No other Title VI complaints have been conveyed to the City of Scottsdale directly by customers. Two ADA related complaints were documented and resolved. Table 7 below summarizes complaints relayed directly to the City of Scottsdale.

Table 6. Regional Customer Service Call Center Log, Title VI Cases Received, FY 09-11

| Incident Date | Route# | Customer Comment | Investigator Response | Action Taken |
|---------------|-----------------------|---|---|--|
| 03/31/2008 | 72 - Scottsdale/Rural | I asked if she crossed Doubletree. Instead of saying yes or no. She yelled, "It is not my responsibility." She was screaming it at me. The way she said it was rude. I told her I was going to file a complaint because she was so unprofessional. I'm His... | The video of the coach on this date was not recording; staff was unable to see the situation that happened on this date and unable to prove that this incident occurred. This Operator has not received other complaints related to her attitude; however ... | There was no video of this incident and staff was unable to prove this incident happened on this coach on this day and time. Staff was unable to reach this passenger for additional information. This incident was discussed with the Operator immediately... |
| 03/31/2009 | 66 - Mill/ 68th St | Hispanic passenger reported to Supervisor that Operator was making racial comments about Hispanics. The passenger said that this is a habit of the Operator and another passengers on the coach making racial remarks. The pas... | Contact information was reviewed immediately after received. The HR Department talked to the Operator about the situation and he explained that he did not make any of those comments, he treats everyone with respect and he does not understand why the ... | Our staff was not able to confirm the situation as reported. This contact will be filed in the record in case the customer calls our office and provides more information. No contact information provided to contact the customer. |
| 08/28/2009 | 17 - McDowell | Me and the father of my child was at the bus stop. I had my baby and he gave me my pass telling me to get on the bus. I got on the bus and the driver started harassing me. She told me my pass isn't any good and it has today's date stamped on it. She ... | Bus 6028 is not a First Transit Bus. Block 2021 Bus 6084 departs Scottsdale and McDowell W/B at 4:56PM. Research finds no VMS record of this complaint. Research also checked DVR for this bus. The picture could not be seen due to technical difficul... | Operations Manager spoke with and instructed Operator on treating all passengers with equal courtesy and respect. |

Table 6. Continued

| | | | | |
|------------|-----------------------------------|---|--|---|
| 04/27/2010 | 72 - Scottsdale/ Rural | I got on the bus, I tried to put the money in fare box, I was having a hard time, the driver then told me that it was ridiculous that I couldn't put the money in, I then told him to put in yourself, which he did. Then a Caucasian male got on the bus,... | Operators are to collect the fare from all passengers as they enter the coach. Passengers need to have exact fare as the Operator do not carry change. Operator was at this location at 9:44 am heading northbound PG Called an... | This issue is invalid as it cannot be proven. Staff tried repeatedly to contact this passenger for additional information, however the passenger did not call back. However this issue was forwarded to the Fixed Route Manager for review on 4/28/2010 ... |
| 08/29/2010 | 72 - Scottsdale/ Rural | I take this bus every weekend, I come from work and I have never had problems with any Op's. I appreciate the service and I will continue to ride this route, this Op when we were getting on the bus, she made a face like she disliked picking us up and... | 8/31/10 9:00AM CE - 8/31/10 9:00AM CE - Received a call from both the Safety and Operations managers stating they had viewed the hard drive and there is nothing to support the callers claim. The hard drive reveals the operator conducts herself in a ... | No action required as the video shows the operator conducts herself in a very professional manner. 10/8/10 3:57PM CE - This contact is invalid. 10/8/10 3:57PM CE - Closed |
| 12/07/2010 | 510 - Scottsdale Express / 510 | I was on the bus when the announcement came on in Spanish and the driver said he was going to have to find out how to shut that off. Then when he stopped at Scottsdale and Thomas there was a family that was going to board the bus. The driver said it ... | Sent to Operations Manager for review and discussion with the operator. 12/10/10 CE Left voice message that we had received his concern and to please give me a call back if he would like to provide further details or would like to know the outcome o... | This issue was sent to the Operations Manager and found to be invalid. Closed 1/21/11 at 7:47am by RK |

Table 7. Complaints Conveyed Directly To the City Of Scottsdale, FY 09-11

| Date | Route # | Complaint | Resolution |
|-------------|--------------------|---|---|
| 5/20/11 | 72/26 Transfers | Construction zone, the pathway on the east side of Scottsdale Road at Thomas and crossing east to west through the construction is impossible for wheelchairs passengers. | On May 20 th , the signal timing was changed to automatically activate the ped crossing with each cycle (avoids the need to access and push the button) and a temporary barrier separated sidewalk was created adjacent to the roadway. On May 25 th a temporary asphalt sidewalk (in place of the removed concrete sidewalk) was constructed. Staff relayed the information to the wheelchair customer who called back the next day and acknowledge the improvement as acceptable. |
| 7/13/11 | EVDAR | The Scottsdale Dial-A-Ride phone system is not accessible to those using voice recognition cell phones (Phoenix's number is). Information taken from a phone call. Caller refused to use a Title VI form. | Customer was informed that the RPTA, which provides Scottsdale's portion of the EVDAR, is not required to provide this service. It was explained that instead of this system, the agency provides hands free access to service information and scheduling through Arizona Relay Service, their Website, and TTY. |
| 7/13/11 | EVDAR | Dial-A-Ride is telling callers to call the Mayor's office if they are upset with service issues such as having to wait for pick-up due to doctors appointments being of indeterminate duration. | Staff confirmed with the EVDAR office that no such information was being given out. The customer would not return phone calls made to them for the explanation. |

2.6.3 Summary of Complaints To a Federal Agency

Scottsdale received its first and only notice of complaint from the FTA office of Civil Rights alleging discrimination on the basis of disability through a letter dated April 26, 2010. From the date the letter was received, the following has occurred:

- May 27, 2010 - Scottsdale, as instructed, submitted a response letter to FTA
- September 13, 2010 - Scottsdale received a letter from FTA summarizing the findings after a review of our case

- October 5, 2010 - Scottsdale submitted a remedial plan to FTA which includes: City staff worked with its contractor to gain compliance with City Title VI access policy through training programs for drivers and enhancements to the maintenance program. As a result of this cooperative effort, the contractor successfully lowered the incidence of lift issues by: 1) increasing the driver and mechanic familiar with the lifts; 2) hiring a new mechanic with more lift experience; 3) performing additional preventative maintenance work; 4) sending the vehicles with reoccurring lift issues to the lift manufacturer's local representative for repair; 5) modifying the remainder of the vehicles to incorporate an assist handhold; and 6) purchasing a wheelchair lift equipped rescue vehicle.
- November 21, 2011 - Scottsdale received a communication from FTA notifying the City that FTA is scheduled to conclude its monitoring of Scottsdale Trolley system as it relates to FTA Complaint #09-0188 in December 2011, and requesting additional lift operation information for the time period October 5, 2010 through December 30, 2011 due to FTA in February. Scottsdale compiled the information and is waiting for FTA's final response.

To the best of our knowledge, there are presently no other ongoing civil rights compliance review activities being conducted with respect to Scottsdale's bus or circulator, operations or capital projects.

2.7 EVALUATION OF FARE POLICY CHANGES FY 09

In FY 09 the region agreed to increase the fares on the Valley Metro system (the City's trolley system is fare free). The fare increase affected all Valley transit services. The base fare of \$1.25 increased .50 to \$1.75. A base-fare increase had not occurred in the Valley since 1994.

Scottsdale residents participated in public meetings; however, no issues related to Title VI were raised, particularly since fares had not been raised for 15 years.

In addition to the fare increase, Scottsdale stopped selling fare products at three of its libraries and reduced the hours for fare sales at the Loloma Transportation Station due to budgetary reasons. There was a concern that low income individuals (who often pay with cash instead of a credit card) would not have a cash sale fare outlet close to the Civic Center library or the Station. At the same time, Valley Metro was in the process of increasing the number of private fare product sales locations. The number of fare outlets in the south Scottsdale area, where the highest numbers of transportation disadvantaged individuals live, has now doubled from four (4) to eight (8) outlets. In total there are 24 private locations to purchase fares throughout the city including stores such as 7-Eleven, Safeway, Fry's, and Walgreens.

2.8 EVALUATION OF SERVICE CHANGES FY 09-11

The reductions in transit revenues during the last three fiscal years put the city of Scottsdale, like many cities across the nation, in the position of reducing transit services as a last resort in

order to balance the budget. The Transit Department continuously used the following four goals in making the service changes for each annual budget:

- Impact the least number of riders possible.
- Improve efficiency and effectiveness by eliminating overlapping and/or unproductive service first.
- Improve equity between the levels of service for various routes.
- Balance the transit budget.

FTA Circular 4702.1A states that a recipient can implement a major service reduction or fare increase that would have a disproportionate high and adverse effect provided that it is demonstrated that the action meets a substantial need that is in the public interest and that alternatives would have more severe adverse effects than the preferred alternative. By applying the above four goals, Scottsdale was able to meet the majority of its budget needs (in the public interest) while minimizing the adverse effects on minority and low income populations. Our east-west routes are actually small extension segments of Phoenix routes. Each is one to three miles in length, with one route extending seven miles into Scottsdale. Many service reductions to Scottsdale's fixed route service were not initiated from our own accord; they resulted from changes made by other jurisdictions. In terms of fixed route bus service, Scottsdale is at the end of the route on seven (7) of its nine (9) local fixed routes (excluding express routes). These occurrences are noted route by route in the following sections. It is noted in the change descriptions where Scottsdale could not mitigate the effect on our minority and low income populations.

The following sections provide an evaluation of all changes made in the last three fiscal years. The maps in Attachments H, I, J and K illustrate that in every route change/elimination case except one, users were able to switch to a parallel route within ½ mile of each route or route segment that was eliminated to complete their trip.

2.8.1 FY 09 Service Changes

Several changes were made in FY 09 as the Transit Program lost local funding and the ability to use general fund revenues.

- Route 84: eliminated duplicative service segments with Neighborhood Circulator (Attachments I, 1-5).
- Route 76: eliminated one mile of duplicative service into Loloma Station (reduced travel time for low income and minority users, transfers were accommodated on-street)
- DT Trolley: reduced service from 10 to 15 min. Reducing headways on this route made it more equitable with the other two circulator routes that have 20 and 30 min service in the same minority/low income population area. Because this particular route serves an area with the least number of minority and low income residents, it was the preferred alternative and avoided a more adverse effect of reducing service on the other two routes which are more heavily used and serve a higher number of low income and minority residents (Attachments L, 1-5)

- Routes 66, 72, 76, and 81: Saturday schedule reduced to Sunday schedule (Tempe initiated, Scottsdale could not mitigate).
- Loloma Station: reduced hours and eliminated one contract staff (other fare outlets established to mitigate reduction in hours of fare sales).
- Route 66: eliminated duplicative loop with Downtown Route to Fashion Square (Attachments H, 1-5).
- Route 84: eliminated remainder of duplicative route (Attachments I, 1-5), riders could use more frequent Neighborhood route instead.
- Route 114: duplicated service on Route 106; reduced service to three hours am and pm weekdays to accommodate two rider groups, Basis School and Mayo Clinic employees.

2.8.2 FY 10 Service Changes

Again, in FY 10 several changes were made that were primarily initiated by other jurisdictions with larger portions of each route, and other changes were made as the state eliminated lottery generated transit funding to local jurisdictions. While this action was legally overturned and reinstated in FY 12, funding will be reinstated later in FY 12.

- Route 76: City of Tempe eliminated its portion of the route, but Scottsdale maintained its portion at the existing budget level which required eliminating one mile of the route (south of McDowell Rd.). Frequency remained at 30 minutes. The portion eliminated is estimated to be ten percent of the route.
- Routes 106 and 114: eliminated Rt. 114 (duplicative service) and increased service on Rt. 106 to mitigate service elimination on Rt. 114 (Attachments J, 105).
- Route 572 express eliminated (Attachments K, 1-5; elimination initiated by Cities of Phoenix, Glendale, Peoria, and Surprise; no mitigation available by Scottsdale).
- All north/south routes: change Saturday Schedule to match (initiated by other jurisdictions, no mitigation available).
- Route 72 extended to Thompson Peak Rd., service reduced from 15 to 20 minutes (the extension provided access to 1,700 jobs at three major employers and mitigated the headway increase).

2.8.3 FY 11 Service Changes

FY 11 brought minor service adjustments

- Route 76: The route was changed from a regional fixed route to a local circulator, and extended south down to the City border at McKellips Rd., then north on Scottsdale Rd. to ASU Skysong. Frequency remained at 30 minutes. Low Income and minority populations benefited from the extension of the service.
- Route 66: Eliminated (duplicative route, mitigated with service on the Neighborhood circulator route)
- Route 81: reduce peak hour service from 15 to 20 min; changed the route from Frank Lloyd Wright Blvd. over to Raintree Rd. to accommodate more users and provide more service to a large regional employment center. Changes to access the employment center mitigated any loss of service to low-income or minority users.

2.9 ANALYSIS OF CONSTRUCTION PROJECTS

Scottsdale currently has three FTA funded transit projects in either design or construction: 1) ASU Skysong on street transit center; 2) Mustang transit center/Park and Ride Facility; and 3) Loop 101 park and ride. NEPA documentation was required for all three projects. A Categorical Exclusion was approved for each with the results as follows:

2.9.1 ASU Skysong On Street Transit Center

The Categorical Exclusion indicates no substantial impacts or direct social impacts were identified, therefore, no disproportionate impacts on minority or low-income persons will occur.

2.9.2 Mustang Transit Center/Park and Ride Facility

The Title VI/Environmental Justice evaluation for the project showed that the project area has a lower proportion of minority and impoverished residents than Maricopa County as a whole, but a slightly higher proportion than Scottsdale as a whole. The consultant concluded that since the proportion of minority and/or impoverished residents in the vicinity is well below 50 percent, the proposed project will have no disproportionately high or adverse effects on low income and/or minority populations within a mile of the project area.

2.9.3 North Scottsdale/Loop 101 Park and Ride (Scottsdale and Thunderbird Roads)

The CE concluded that the project vicinity does not contain disproportionately high minority, disabled, or low income populations; therefore, the project would not have any adverse effects and would benefit by providing a more convenient access to transit.

2.10 MONITORING SERVICE FOR SERVICE EQUITY

To demonstrate the equity in travel time for all population groups, travel times were compared between trips originating from two high-income condominium developments (Goldwater Blvd, and Waterfront); and, two low-income apartment complexes in the heart of the City's census tracts with the highest low income/minority populations (Indian School Rd. and Roosevelt Rd.). The time to complete a trip to each of the following four popular destinations and the trip length from each residential location was compared: 1) business offices in Scottsdale Airpark (the region's highest employment center); 2) Scottsdale Healthcare Shea Campus; 3) Scottsdale Community College; and, 4) Granite Reef Senior Center. The destinations have differing trip uses - jobs, medical, education, and senior activities and are shown in the Attachment L map along with the location of the residences.

The evaluation, which is summarized in Table 8 below, demonstrates that each population served has differing trip times; with the low-income residential location having a shorter trip in most cases, despite the location of the residences. The first three residential locations have

very similar distances from the activity center locations, yet in almost every case the low income residential location has a faster trip to the destination.

**Table 8. Monitoring Equity, Transit Travel Time Comparison
Low Income/Minority Populations to Other Populations**

| To | Airpark Offices | Medical Campus | Community College | Senior Center |
|--|-------------------------------------|-------------------|----------------------|------------------|
| From | Time in Minutes/(Distance in Miles) | | | |
| Residential at Indian School Rd./ Miller Rd. | 68 (11.2) | 60 (7.6) | 16 (3.3) | 52 (2.8) |
| Residential at Goldwater and Marshall Way | 65 (11.7) | 67 (8.1) | 48 (3.8) | 42 (4.7) |
| Residential at Camelback/ Marshall Way | 62 (11.4) | 56 (7.8) | 11 (3.5) | 34 (4.0) |
| Residential at Roosevelt Rd. and Hayden Rd. | 49 (14.2) | 25 (10.6) | 50 (6.3) | 5 (1.2) |

Attachment A. City of Scottsdale Title VI - Complaint Form

Instructions: If you would like to submit a Title VI complaint to the City of Scottsdale, please fill out the form below and send it to:

City of Scottsdale
Transportation Department
Attn: Transit Title VI Coordinator,
7447 E. Indian School Rd.
Scottsdale, AZ 85251

For questions or a full copy of the City's Title VI transit policy and complaint procedures call 480-312-3111 or email callcenter@scottsdaleaz.gov.

| | | |
|--|---|--|
| 1. Name (Complainant): | | |
| 2. Phone: | 3. Home address (street no., city, state, zip): | |
| 4. If applicable, name of person(s) who allegedly discriminated against you: | | |
| 5. Location and position of person(s) if known: | | 6. Date of incident: |
| 7. Discrimination because of: (check all that apply) | | |
| <input type="checkbox"/> Race/Color | <input type="checkbox"/> Sex (includes sexual harassment) | <input type="checkbox"/> Vietnam Era Veteran |
| <input type="checkbox"/> National origin | <input type="checkbox"/> Sexual orientation | <input type="checkbox"/> Disabled Veteran |
| <input type="checkbox"/> Creed / religion | <input type="checkbox"/> Marital status | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Age | |
| 8. Explain as briefly and clearly as possible what happened and how you believe you were discriminated against. Indicate who was involved. Be sure to include how you feel other persons were treated differently than you. Also, attach any written material pertaining to your case. | | |

(continue #8 above here if space is needed)

9. Why do you believe these events occurred?

10. What other information do you think is relevant to the investigation?

11. How can this/these issue(s) be resolved to your satisfaction?

12. Please list below any person(s) we may contact for additional information to support or clarify your complaint (witnesses):

Name:

Address:

Phone number:

Signature (Complainant):

Date of filing: